

Section 15

APPENDIX 5 – DEFINITIONS

Definitions

The following definitions apply to the Vendor Contract, this Manual, the Policy and Procedure Manual, and the Application form.

Americans with Disabilities Act – The federal law (Americans with Disabilities Act of 1990) promoting equal opportunities to persons with disabilities by requiring that barriers to equal access be eliminated.

Authorized Representative – Person, other than the WIC participant, who has assumed the responsibility for following the WIC regulations, picking up the WIC food instruments and redeeming those WIC food instruments for authorized WIC foods.

Banking Contractor – The financial institution under contract to provide visual and computer edits of redeemed WIC food instruments.

Business Integrity – Relates to the business honesty of the Vendor's owners, officers or managers.

Civil Money Penalty – A monetary penalty based on violations of the Contract, the Manual, state or federal statutes or regulations that are not fraudulent may be assessed against the Vendor at the discretion of the Department if participant hardship would occur if the Vendor was disqualified.

Comparable – Prices charged to WIC participants/authorized representatives for authorized foods which must be within 140% for similar type stores.

Compliance Buys – The investigative technique whereby agents of the Department or Federal WIC program anonymously redeem WIC food instrument to determine if the Vendor is following policy and procedures as outlined in the Contract and this Manual.

Conflict of Interest – Relates to the standard of ethical conduct in the discharge of a person's duties.

Department – The Arizona Department of Health Services, Community and Family Health Services, Office of Nutrition Services, Department.

Endorsement – The Vendor's identification, for banking purposes, affixed to the back of the food instrument.

Fair Hearing – The administrative process by which a Vendor may appeal adverse action.

First Date to Use/Last Date to Use – The date the food instrument becomes valid (issue) until midnight of the day indicated on the "Date valid to" line on the food instrument.

Food and Nutrition Service ("FNS") – The Food and Nutrition Service of the United States Department of Agriculture.

Food Stamp Program – Food Stamp Program authorized by the Food Stamp Act of 1977.

Geographic Area – The travel in excess of five (5) miles in a rural area from the local agency clinic or the participants' residence or a one and one half (1½) mile radius of the local agency clinic or the participants' residence in an urban area to reach an authorized Vendor.

Local (WIC) agency – Local non-profit agencies, county health departments and tribal entities under contract with the Department to implement and enforce policies and procedures of the WIC Program.

Notice – The mechanism by which the Department informs the Vendor Applicant or current Vendor of specific actions pertaining to the application or executed contract.

Pattern – A reliable sample of acts or observable items that identify incidences of a violation which warrant a Federal mandatory sanction.

Penalty Points – Numeric values assessed against Vendors for specific violations of the contract, the Manual, state or federal statutes or regulations or fraud that can lead to training, a written warning, suspension, or disqualification.

Policy and Procedures Manual (“P&P Manual” or “Manual”) – The Arizona WIC Program Policy and Procedures Manual or Vendor Manual and all amendments thereto.

Proxy – A person, other than the WIC participant/authorized representative, who is authorized by the clinic and the participant/authorized representative to sign the Proxy Certification form, pick up and redeem WIC food instruments.

Proxy Certification – The document completed at the WIC clinic that identifies the proxy as the person who is authorized to redeem WIC food instruments for the participant/authorized representative; the signature on the Proxy Certification form must match the clinic signature and countersignature on the food instrument.

Rain Check – Any document or list which allows a participant/authorized representative to receive WIC authorized item(s) after the date the food instrument is redeemed.

Replacement Food Instrument – The negotiable food instrument used by the Department to reimburse a Vendor who has requested a second level review and is due monies.

Retention of Records – The Vendor’s responsibility to maintain all documents and records which pertain to a Vendor’s participation in the WIC Program for five (5) years after the date of the Contract.

Rural area – An area with a population of less than ten thousand persons according to the most recent United States Decennial Census.

Sanctions – The disciplinary process whereby Vendors are issued training or a written warning, suspended, or disqualified based on the accumulation of penalty points for specific category violations of the Contract, the Manual, state or federal statutes or regulations or fraud.

Similar Type Stores – Stores that are similar in classification as determined by the store’s response to questions answered on the Arizona WIC Program Vendor Application form.

USDA – The United States Department of Agriculture, which is the Federal Department that oversees the WIC program nationally.

Urban area – An area with a population of ten thousand or more according to the most recent United States Decennial Census.

Vendor – A grocery store, military commissary or pharmacy authorized and under Contract with the Department to redeem WIC food instruments or otherwise provide supplemental foods to WIC participants/authorized representatives.

WIC Clinic – A facility where women, infants, and children are screened and determined to be eligible to participate in the WIC Program.

WIC Food Instrument – A negotiable food instrument issued by the Arizona WIC Program and used by a WIC participant/authorized representative. The ID folder is used to verify that the clinic signature and counter signature on the WIC food instrument match.

WIC Participants (“Participants” or “Clients”) – Pregnant, breastfeeding or postpartum women, infants and children up to age five (5) years who are receiving WIC authorized supplemental foods or food instruments under the WIC program and the breastfed infant of participating breastfeeding women.

WIC Price/Stock Report – The Department form which lists the WIC approved foods, their prices, and the minimum stock and variety requirements which must be maintained at all times.

WIC Program – The Special Supplemental Nutrition Program for Women, Infants and Children authorized by Section 17 of the Child Nutrition Act of 1966, as amended.

WIC Vendor Identification Stamp (“Vendor ID Stamp”) – The rubber stamp with the authorized Vendor’s unique four (4) digit identification number that is issued by the Department and used for validating WIC food instruments. Vendors are provided with two (2) ID stamps and they both remain the property of the Arizona WIC Program.

Notes